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PTO/SB/81 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	10/708,146
Filing Date	February 11, 2004
First Named Inventor	Peter Arthur Tobler
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	718026.64

I hereby appoint:

☒ Practitioners at Customer Number

27128

Place Customer  
Number Bar Code  
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**OR**

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

**OR**

☐ Firm or  
Individual Name

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State

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Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.7.1.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name	Thomas Michael Baker Sr. Vice President Support Services for Tyson Foods, Inc.
Signature	<i>Thomas Michael Baker</i>
Date	7/16/04

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

Burden Hour Statement; This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231  
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Tobler, et al.

Application No./Patent No.: 10/708,146 Filed/Issue Date: February 11, 2004

Entitled: A SYSTEM AND METHOD FOR MONITORING FACILITY DATA

Tyson Foods, Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

7/16/04  
Date

Thomas Michael Baker  
Typed or printed name  
  
Signature

Sr. Vice President Support Services for Tyson Foods, Inc.  
Title

## ASSIGNMENT

WHEREAS, Peter Arthur Tobler, a resident of Rogers, Arkansas; David Michael Lech, Sr., a resident of Springdale, Arkansas; Kevin Leonard Whitfield, a resident of Bentonville, Arkansas; Aaron Earl Axxe, a resident of Rogers, Arkansas; Jeffrey Keene Mullins, a resident of Fayetteville, Arkansas; Michael James Craddock, a resident of Bella Vista, Arkansas; William Wesley Griffith, III, a resident of Springdale, Arkansas; David Wesley Whisel, a resident of Springdale, Arkansas; Scott Douglas Stillwell, a resident of Alma, Arkansas; Harry W. Mock, a resident of Fayetteville, Arkansas; Johnathan Dale Parker, a resident of Springdale, Arkansas; Stacy W. Jaycox, a resident of Springdale, Arkansas; Joel Garringer, a resident of Tulsa, Oklahoma; John Roach, a resident of Siloam Springs, Arkansas; and Charles V. Lepard, a resident of Troy, Michigan (hereinafter referred to as "Assignors"), are the inventors of a certain new and useful invention relating to A SYSTEM AND METHOD FOR MONITORING FACILITY DATA for which application has been made as U.S. Provisional Patent Application No. 60/446,493 filed on February 11, 2003, and as U.S. Patent Application No. 10/708,146 filed on February 11, 2004; and

WHEREAS, Assignors are the owners and in full possession of the entire right, title and interest in and to said invention and in and to any and all Letters Patent that may be granted therefor; and

WHEREAS, Tyson Foods, Inc., a corporation duly organized under the laws of the State of Arkansas, (hereinafter referred to as "Assignee"), having its principal office and place of business at 2210 West Oaklawn Drive, Springdale, Arkansas, 72762, is desirous of acquiring the


entire right, title and interest in and to said invention and in and to any and all Letters Patent that may be granted therefor; and

NOW, THEREFORE, for and in consideration of the sum of One Dollar (U.S. \$1.00) and other valuable considerations to Assignors paid by said Assignee, receipt of which is hereby acknowledged, Assignors do hereby sell, assign and transfer unto said Assignee, the entire right, title and interest in and to said invention and in and to any and all Letters Patent, both United States and foreign, that may be granted therefor, together with any and all continuations, divisions, or reissues, and Assignors do hereby authorize and request the United States Commissioner of Patents and Trademarks to issue in accordance with this Assignment any and all Letters Patent that may be granted, either on said application or otherwise for said invention.

This Assignment is effective as of February 11, 2004.

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 02/20/04

  
Peter Arthur Tobler

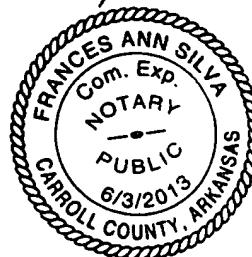
STATE OF Arkansas )  
COUNTY OF Washington ) ss.

On this 20 day of February, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Peter Arthur Tobler to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

  
Notary Public

My Commission Expires: 6/3/2013



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 2/20/04

David Michael Lech, Sr.  
David Michael Lech, Sr.

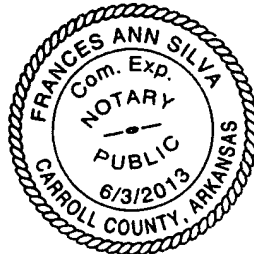
STATE OF Arkansas )  
COUNTY OF Washington ) ss.

On this 20 day of February, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared David Michael Lech, Sr. to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Frances Ann Silva  
Notary Public

My Commission Expires: 6/3/2013



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 02/20/04

Kevin Leonard Whitfield  
Kevin Leonard Whitfield

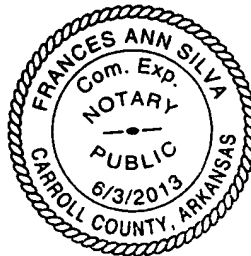
STATE OF Arkansas )  
COUNTY OF Washington ) ss.

On this 20 day of February, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Kevin Leonard Whitfield to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Frances J. Silva  
Notary Public

My Commission Expires: 6/3/2013



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 02/13/04

Aaron Earl Axxe

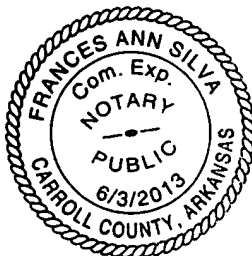
STATE OF Arkansas )  
COUNTY OF Washington ) ss.

On this 13 day of February, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Aaron Earl Axte to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Frances A. Silva  
Notary Public

My Commission Expires: 6/3/2013



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

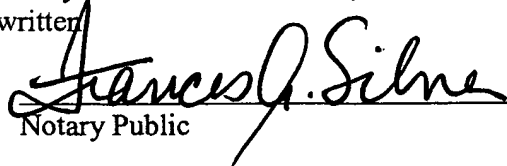
Dated: 2/20/2004

  
Jeffrey Keene Mullins

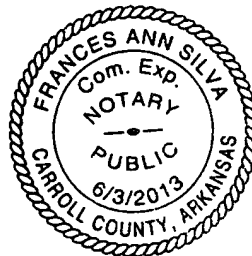
STATE OF Arkansas )  
 ) ss.  
COUNTY OF Washington )

On this 20 day of February, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Jeffrey Keene Mullins to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written

  
Notary Public

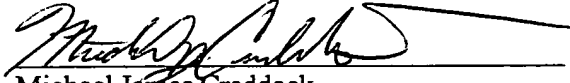
My Commission Expires: 6/3/2013





IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

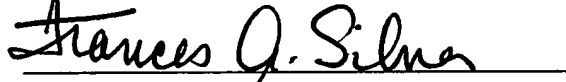
Dated: 2/13/04

  
Michael James Craddock

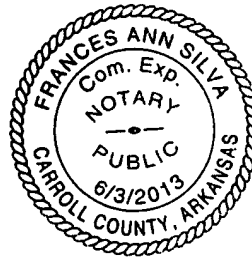
STATE OF Arkansas )  
 ) ss.  
COUNTY OF Washington )

On this 15 day of February, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Michael James Craddock to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

  
Notary Public

My Commission Expires: 6/3/2013



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 3/4/04

William Wesley Griffith, III  
William Wesley Griffith, III

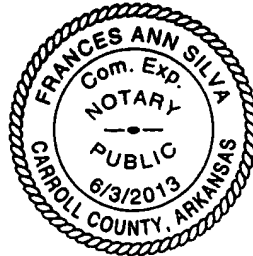
STATE OF ARKANSAS )  
COUNTY OF Washington ) ss.

On this 4<sup>th</sup> day of March, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared William Wesley Griffith, III to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Frances Ann Silva  
Notary Public

My Commission Expires: 6/3/2013



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 3/24/04

David Wesley Whisel  
David Wesley Whisel

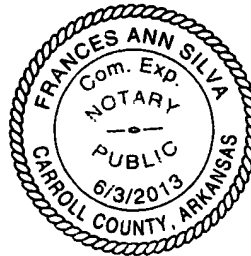
STATE OF Arkansas )  
COUNTY OF Washington ) ss.

On this 24<sup>th</sup> day of March, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared David Wesley Whisel to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.


In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Frances G. Silva  
Notary Public

My Commission Expires: 6/3/2013



Dated: 3/4/04

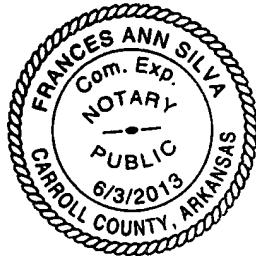
  
Scott Douglas Stillwell

STATE OF ARKANSAS )  
COUNTY OF Washington ) ss.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Francis J. Silva  
Notary Public

My Commission Expires: 6/3/2023



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 2-14-04

Harry W. Mock  
Harry W. Mock

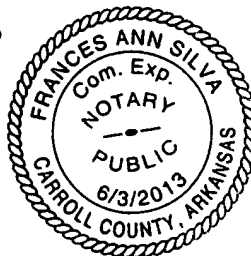
STATE OF Arkansas )  
 ) ss.  
COUNTY OF Washington )

On this 16<sup>th</sup> day of February, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Harry W. Mock to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Frances A. Silva  
Notary Public

My Commission Expires: 6/3/2013



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 2/13/2004

Johnathan Dale Parker  
Johnathan Dale Parker

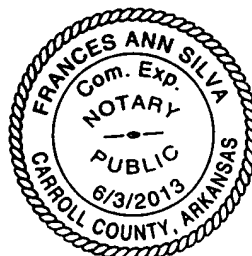
STATE OF Arkansas )  
 ) ss.  
COUNTY OF Washington )

On this 13 day of February, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Johnathan Dale Parker to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Frances Ann Silva  
Notary Public

My Commission Expires: 6/3/2013



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: 2/20/04

Stacy W. Jaycox  
Stacy W. Jaycox

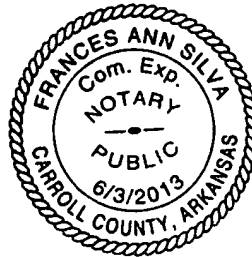
STATE OF Arkansas )  
COUNTY OF Washington ) ss.

On this 20<sup>th</sup> day of February, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Stacy W. Jaycox to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Frances Ann Silva  
Notary Public

My Commission Expires: 6/20/04



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Joel Garringer

STATE OF                    )  
                                  ) ss.  
COUNTY OF                )

On this \_\_\_\_ day of \_\_\_\_\_, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Joel Garringer to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated:

3/5/04

John Roach

STATE OF Arkansas )  
 ) ss.  
COUNTY OF Washington

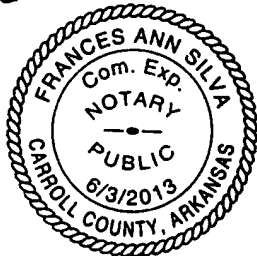
On this 5<sup>th</sup> day of March, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared John Roach to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

Frances J. Silva  
Notary Public

My Commission Expires:

6/3/2013



IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Charles V. Lepard

STATE OF                    )  
                                  ) ss.  
COUNTY OF                )

On this \_\_\_\_ day of \_\_\_\_\_, 2004, before me, the undersigned, a Notary Public within and for the County and State aforesaid, personally appeared Charles V. Lepard to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

In Witness Whereof, I have hereunto attached my hand and notarial seal, at the County and State aforesaid on the day and year last above written.

\_\_\_\_\_  
Notary Public

My Commission Expires: